

**RAY K. SHAHANI**  
**ATTORNEY AT LAW**

**RECEIVED**  
**CENTRAL FAX CENTER**  
**JUN 09 2006**

*Registered Patent Attorney - Technology and Intellectual Property Matters*  
<http://www.attycubed.com>

Twin Oaks Office Plaza  
477 Ninth Avenue, Suite 112  
San Mateo, California 94402-1854

*Telephone: (650) 348-1444*  
*Faxsimile: (650) 348-8655*  
*e-mail: rks@attycubed.com*

**FACSIMILE TRANSMISSION**

Date: June 9, 2006

To:

Mr. Neil Levy  
Examiner  
USPTO



Fax (Personal): 571-273-0619  
Fax: 571-273-8300

Total Pages Following: 10

Re: CLX-602 (Application No.: 09/870117)

Attached please find the following documents:

1. AMENDMENT AND RESPONSE TO INTERVIEW SUMMARY DATED 06/08/2006 - 10 pages; and
2. Copy of INTERVIEW SUMMARY - 1 page.

**CONFIDENTIAL:** This sheet and attached materials are CONFIDENTIAL and intended for use by the above mentioned recipient(s) only. If this is in your possession and you are not an intended recipient please call (650) 348-1444, collect calls accepted.

JUN-09-2006(FRI) 16:29 Law Offices  
Rx Date/Time JUN-08-2006(THU) 17:01  
06/08/2006 20:11 FAX

(FAX)16503488655

P. 012/012  
P. 002

CLX-602

**COPY**

Ray K. Shahani  
Attorney at Law

Received

Date 6-8-06

Copy to Client: 6-9-06

Due Date: ASAP

Do not



UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office  
Address: COMMISSIONER OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

APPLICATION NUMBER

FILING DATE

FIRST NAMED APPLICANT

ATTORNEY DOCKET NO.

09/870117

SCHIAVO et al

EXAMINER

NEIL LEVY

ART UNIT

PAPER NUMBER

1615 618/06

DATE MAILED:

#### INTERVIEW SUMMARY

All participants (applicant, applicant's representative, PTO personnel):

(1) ATTORNEY RAY SHAHANI

(3)

(2) NEIL LEVY

(4)

Date of Interview 6/8/06

Type:  Telephonic  Personal (copy is given to  applicant  applicant's representative).

Exhibit shown or demonstration conducted:  Yes  No If yes, brief description:

Agreement  was reached.  was not reached.

Claim(s) discussed: 1, 3, 6, 7

Identification of prior art discussed: OF RECORD & PARENT CASE SN # 09/207297 is  
incorrect.

Description of the general nature of what was agreed to if an agreement was reached, or any other comments: EXAMINER suggests  
INCORPORATION of subject MATTER of claims 3-6 & 7 into claim 1  
with ProfileThrin could overcome the prior art. ATTORNEY argued against  
including ProfileThrin. EXAMINER finds AN Amended Claim 1 with  
3-6 & 7 x the recites prior art, but NOT that of claim 8. Rejections  
ATTORNEY TO CONTACT CLIENT or Amending claim 1 of continuing  
(A fuller description, if necessary, and a copy of the amendments, if available, which the examiner agreed would render the claims allowable  
must be attached. Also, where no copy of the amendments which would render the claims allowable is available, a summary thereof must be  
attached.) 3-7, 8, 10 to permit allowability.

1.  It is not necessary for applicant to provide a separate record of the substance of the interview.

Unless the paragraph above has been checked to indicate to the contrary, A FORMAL WRITTEN RESPONSE TO THE LAST OFFICE ACTION  
IS NOT WAIVED AND MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW. (See MPEP Section 7.13.04). If a response to the last Office  
action has not been filed, APPLICANT IS GIVEN ONE MONTH FROM THIS INTERVIEW DATE TO FILE A STATEMENT OF THE  
SUBSTANCE OF THE INTERVIEW.

2.  Since the Examiner's interview summary above (including any attachments) reflects a complete response to each of the objections,  
rejections and requirements that may be present in the last Office action, and since the claims are now allowable, this completed form  
is considered to fulfill the response requirements of the last Office action. Applicant is not relieved from providing a separate record of  
the interview unless box 1 above is also checked.

Examiner Note: You must sign this form unless it is an attachment to another form.

FORM PTOL-413 (REV.1-26)

NEIL S. LEVY

PRIMARY EXAMINER